

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

EVERETT DE'ANDRE ARNOLD,	§	
KADEN BRADFORD, and	§	
SANDY ARNOLD,	§	
	§	
Plaintiffs,	§	
	§	
vs.	§	C.A. NO.: 4:20-CV-01802
	§	
BARBERS HILL INDEPENDENT	§	JURY TRIAL REQUESTED
SCHOOL DISTRICT,	§	
	§	
Defendant.	§	

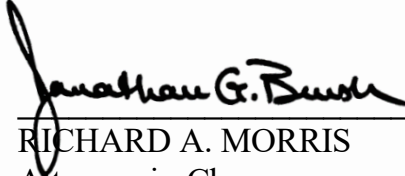
**NOTICE OF INTERLOCUTORY APPEAL OF DKT. NO. 282 BY BARBERS
HILL INDEPENDENT SCHOOL DISTRICT, FRED SKINNER, DR. GREG
POOLE, AND THE BOARD OF TRUSTEES**

Notice is hereby given that Barbers Hill Independent School District (the District), Defendant in the above-styled and numbered cause, and Fred Skinner, Dr. Greg Poole, and the District's Board of Trustees, hereby appeals to the United States Court of Appeals for the Fifth Circuit, pursuant to 28 U.S.C. § 1291 and the collateral-order doctrine, the District Court's June 1, 2023, Order granting in part and denying in part the District's Motion for Protection of the Board's Legislative Immunity. *See* Dkt. No. 282. In this Order, the District Court outlined procedures for the depositions and assertions of legislative privilege that would effectively waive the privilege by forcing the deponent invoking the privilege to answer the question in full regardless. *Id.* A district court's order effectively denying an assertion of legislative privilege is considered a "final decision" that can be immediately appealed and over which the United States Court of Appeals has jurisdiction. *See Jackson*

Muni. Airport Authority v. Harkins, 67 F. 4th 678 (5th Cir. 2023); *La Union Del Pueblo Entero v. Abbott*, 2023 WL 3494770 (5th Cir. May 17, 2023).

Respectfully submitted,

ROGERS, MORRIS, & GROVER, L.L.P.

A handwritten signature in black ink, reading "Jonathan G. Brush". The signature is written in a cursive style with a large, stylized initial 'J'.

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ATTORNEYS FOR BARBERS HILL ISD

CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2023, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send electronic notification of such filing to all counsel of record.



Attorney for Barbers Hill ISD